

# Governance Policy

The governance Policy provides the overall direction, effectiveness, supervision and accountability of a Service. Management are responsible for setting the directions and ensuring that its goals and objectives are met in line with the philosophy, and all legal and regulatory requirements governing the operation of the service.

## National Quality Standards (NQS)

| Quality Area 6: Collaborative Partnership with Families |   |
|---|---|
| 6.1.2   | Families have opportunities to be involved in the Service and contribute to Service decisions.                        |
| 6.2.1   | The expertise of families is recognised and they share in decision making about their child's learning and wellbeing. |

| Quality Area 7: Leadership and Management |  |
|---|--|
| 7.1.1                                     | Appropriate governance arrangements are in place to manage the Service.  |
| 7.3.1                                     | Records and information are stored appropriately to ensure confidentiality, are available from the Service and are maintained in accordance with legislative requirements. |
| 7.3.2                                     | Administrative systems are established and maintained to ensure the effective operation of the Service.  |
| 7.3.3                                     | The Regulatory Authority is notified of any relevant changes to the operation of the Service, of serious incidents and any complaints                                      |

## Education and Care Services National Regulations

| Children (Education and Care Services) National Law |  |
|---|--|
| 168   | Education and care services must have policies and procedures            |
| 177   | Prescribed enrolment and other documents to be kept by approved provider |
| 181   | Confidentiality of records kept by approved provider                     |
| 181-184   | Confidentiality and storage of records                                   |

### PURPOSE

Our Service aims to ensure all legal and financial requirements are implemented and recognised through pertinent governance practices that provide quality education and care meeting the principles, practices and elements of the Early Years Learning Framework and National Quality Standards.

### SCOPE

This policy applies to children, families, staff, management and visitors of the Service.

## IMPLEMENTATION

Governance is the process by which our Service is directed, controlled and held accountable to ensure the right decisions are made.

The Approved Provider of the Service accepts the legal responsibilities associated with establishing and administering the Service. Our Service has the following established positions:

|                              |        |
|------------------------------|--------|
| <b>Approved Provider</b>     | [Name] |
| <b>Nominated Supervisor</b>  | [Name] |
| <b>Educational Leader</b>    | [Name] |
| <b>Certified Supervisors</b> | [Name] |
| <b>Educators</b>             | [Name] |

The Approved Provider/Management is responsible for:

- Ensuring compliance with the Education and Care Services National Law and Education and Care Services National Regulations
- Complying with family assistance law
- Appointing a Nominated Supervisor, an Educational Leader and a Director/Assistant Director for the Service
- Supporting the Nominated Supervisor, Director/Assistant Director and Certified Supervisors in their role, providing adequate resources to ensure effective administration of the Service.
- Being an employer
- Complying with funding agreements where appropriate
- Ensuring the Service remains financially viable and can meet its debts and other obligations as they fall due
- Managing control and accountability systems
- Completing a Quality Improvement Plan for the Service and update it at least annually
- Complying with all other Western Australian and Australian governments' legislation that impacts upon the management and operations of a Service.
- Acting honestly and with due diligence
- Developing coherent aims and goals that reflect the interests, values and beliefs of all stakeholders of the Service
- Developing a clear and agreed philosophy which guides business decisions and the work of Management and staff
- Ensuring there is a sound foundation of policies and procedures that complies with all legislative and regulatory requirements, and that enables the daily operation of the Service to be in line with the Service's philosophy and goals

- Establishing clearly defined roles and responsibilities for the members of the Management Committee and staff, individually and as a collective - clearly articulate the relationship between all stakeholders
- Reviewing the Service's budget and monitoring financial performance and management to ensure the Service is solvent at all times, and has good financial strength
- Approving annual financial statements and providing required reports to government setting and maintaining appropriate delegations and internal controls
- Appointing staff and monitoring their performance
- Evaluating and improving the performance of the Management Committee
- Ensuring all Educators and staff have a clear understanding about the hierarchy of management
- Reviewing the work process regularly
- Providing clear, and direct feedback and instruction that is suitable and communicated in writing

#### The Nominated Supervisor is responsible for:

- Adhering to the National Education and Care Service Regulations and National Law
- Developing ethical standards and a code of conduct which guide actions and decisions in a way that is consistent and reflective of the Service's expectations
- Undertaking periodical planning and risk assessments and having appropriate risk management strategies in place to manage risks faced by the Service
- Ensuring that the actions of and decisions made are clear and consistent and will help build confidence in all stakeholders
- The day to day management of the Service
- The effectiveness of the Service's well-defined partnership between the Management Committee and the Nominated Supervisor. The partnership requires clear understanding of roles and responsibilities, and regular and open communication
- Producing outcomes together with Educators and Staff. Educators must agree on their responsibilities and work according to current policies and procedures.
- Providing educators with training, resources and support.
- Identifying and reporting if something significant occurs
- Identifying work required for completion and delegate to Educators/staff
- Ensuring Educators and Staff not delegating responsibilities for which they are accountable for or have been delegated to them by Management
- Delegate all tasks in writing with a clear due date

## Centre Philosophy

- The development and review of the philosophy and policies will be a continuous process on an annual basis or when required.
- The philosophy and associated statement of purpose will reinforce all other documentation and the practices of the Service. The philosophy will reflect the principles of the approved national framework “Being Belong Becoming” and “My Time, Our Place”.
- There will be a collaborative and consultative process to support the development of the philosophy that will include children, parents and Educators.
- All documents will be dated and include nominated review dates.

## Confidentiality

All members of the Management Committee along with the Nominated Supervisor, Educators and Staff who gain access to confidential information, whether in the course of their work or otherwise, shall not disclose information to anyone unless the disclosure of such information is required by law and will respect the confidentiality of all documents and meetings that occur. This also includes:

- Using information acquired for their personal or financial benefit, or for the benefit of any other person
- Permitting any unauthorised person to inspect, or have access to any confidential documents or other information.

This obligation, placed on a member of the Committee of Management, Nominated Supervisor, Educator and Staff shall continue even after the individual has completed their term and is no longer on the Management Committee or employed by the Service.

The obligation to maintain confidentiality also applies to any person who is invited to any meetings of the Management Committee.

## Ethical decision-making

Our Service will make decisions which are consistent with our policies and procedures which work in conjunction with the national education and care law and regulations, our approved learning framework (EYLF) and the ethical standards.

## Review and Evaluation of the Service

- Ongoing review and evaluation will support the continuing development of the Service. We will ensure that the evaluation involves all stakeholders
- The development of a Quality Improvement Plan (QIP) will form part of the reflection procedure. Reflection on what works within the Service and what needs additional development. This will be included in the QIP.

## Maintenance of Records

- Regulation 177 outlines record keeping requirements.
- Regulations 181–184 outlines confidentiality and storage of records the Service is required to adhere to.
- The Service has a responsibility to keep sufficient records about staff, families and children in order to operate dependably and lawfully.
- The Service will safeguard the interests of the children and their families and the staff, using procedures to ensure appropriate privacy and confidentiality.
- The Approved Provider assists in determining the process, storage place and time line for storage of records.
- The Service's orientation and induction processes will include the provision of significant information to managers, educators, children and families.
- The Approved Provider will need to ensure that the record retention procedure meets the requirements of the following government departments:
  - Australian Tax Office (ATO)
  - Family Assistance Office (FAO)
  - Early Childhood Education and Community (ECEC)

## Managing conflicts of interest

- Conflict of interest, whether actual, potential or perceived, must be declared by all members of the Management Committee/Nominated Supervisor, Senior Staff and managed effectively to ensure integrity
- Every stakeholder that is in a position of management has a responsibility to ensure their transactions, external business interests and relationships will not provide potential conflicts and to make such disclosures in a timely manner as they arise
- The following process will be followed to manage any conflicts of interest:
  1. Whenever there is a conflict of interest, the member concerned must notify the Approved Provider about the conflict
  2. The member who is conflicted must not be present during the meeting of the Management Committee or Management meeting where the matter is being discussed, or participate in any decisions made on that matter. The member concerned must provide the committee / Licensee with any and all relevant information they possess on the particular matter
  3. The minutes of the meeting must reflect that the conflict of interest was disclosed and appropriate processes followed to manage the conflict
  4. A Conflict of interest disclosure statement must be completed by each member of the Management Committee / Staff member upon his or her appointment and annually thereafter. If the information in this statement changes during the year, the member shall disclose the change to the President / Licensee, and revise the disclosure statement accordingly.

**Source**

- Australian Children’s Education & Care Quality Authority. (2014).
- Guide to the Education and Care Services National Law and the Education and Care Services National Regulations 2015,
- ECA Code of Ethics.
- Guide to the National Quality Standard.
- A Directors Manual – Managing an early education and care service in NSW  
<http://cccnsw.org.au/wp-content/uploads/a-directors-manual-sample.pdf>
- Confidentiality Policy
- Work Health and Safety Act
- Child Care Service Handbook (CCMS)

**Review**

| Policy Review Date |
|--------------------|
| October 2017       |